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Intellectual Property Law

From the Desk of LEONARD D. BOWERSOX

703-385-9719

3603-E Chain Bridge Road FAIRFAX, VA 22030

WARRENTON OFFICE 400 Holiday Court, Suite 102 Warrenton, Virginia 20186

Email: <u>lbowersox@kbpatentlaw.com</u> Website: http://www.kbpatentlaw.com

TEL.: (703) 385-9688 FAC: (703) 385-9719 (703) 385-9747

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DATE:

September 25, 2006

TO:

Examiner Alexander S. Noguerola

Group Art Unit 1753 Mail Stop Amendment Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

RE:

U.S. Patent Application No. 10/075,404

Filed: February 13, 2002 Confirmation No.: 8150

Attorney Docket No.: 5010-306-01

FROM:

Leonard D. Bowersox

FAC. NO.:

(571) 273-8300

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 12

Items Attached:

Transmittal Form 1 Page Amendment 10 Pages

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Coty D. Wilks

Name (Print)

Signature

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. TRANSMITTAL 10/075,404 Application Number FORM Filing Date February 13, 2002 (to be used for all correspondence after initial filing) First Named Inventor Ben F. JOHNSON Group Art Unit 1753 **Examiner Name** Alexander Stephan NOGUEROLA Total Number of Pages in This Submission 11 Attorney Docket Number 5010-306-01 (formerly 4484C1) ENCLOSURES (check all that apply) Appeal Communication to Board of Drawing(s) Fee Transmittal Form Appeals and Interferences Appeal Communication to Group Fee Attached Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Amendment / Reply Proprietary Information Petition to Convert to a Second Request for Status After Final Provisional Application Letter Power of Attorney, Revocation Change of Correspondence Affidavits/declaration(s) Acknowledgement Postcard Address Other Enclosure(s) (please X Extension of Time Request Terminal Disclaimer identify below): Response to Notice of Non-Compliant Amendment and Corrected Amendment **Express Abandonment Request** Request for Refund and Reply Information Disclosure CD, Number of CD(s) Statement Certified Copy of Priority After Allowance Customer No. 35411 Document(s) Communication to Group Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Remarks SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or eonard D. Bowersox, Esq. Individual name Signature Date September 25, 2006 CERTIFICATE OF MAILING I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on September 25, 2006. Type or printed name

This collection of information is required by 37 FR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by \$2.4.8.C. 122 and \$7 CFR 1.14. This collection is estimated to 12 minutes to complete, including gethering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO :Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Date

September 25, 2006

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Coty D. Wilks Name (Print)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Confirmation No.:

8150

PAGE 03

Applicant

Ben F. JOHNSON et al.

Filed

February 13, 2002

TC/A.U.

1753

Examiner

Alexander Stephan Noguerola

Attorney Docket No. :

5010-306-01 (Formerly 4484C1)

Customer No.:

35411

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT AND CORRECTED AMENDMENT AND REPLY

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

This reply is filed in response to the Notice of Non-Compliant Amendment mailed September 1, 2006, and includes a corrected amendment and reply. Entry of the corrected amendment and reply is respectfully requested in view of the amendments below.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. The listing reflects the present status of claims assuming all the amendments submitted in the non-compliant Amendment of August 25, 2006, are disregarded.

Remarks/Arguments begin on page 6 of this paper.